

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:
THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

**This filing relates to the
Commonwealth, HTA, and ERS.**

**REPLY OF THE COMMONWEALTH OF PUERTO RICO, THE PUERTO RICO
HIGHWAYS AND TRANSPORTATION AUTHORITY, AND THE EMPLOYEES
RETIREMENT SYSTEM FOR THE GOVERNMENT OF THE COMMONWEALTH OF
PUERTO RICO TO RESPONSE FILED BY CLAIMANT IVETT S. MATOS [ECF NO.
9736] TO EIGHTY-SEVENTH OMNIBUS OBJECTION (NON-SUBSTANTIVE) TO
DEFICIENT CLAIMS ASSERTING INTERESTS BASED UPON UNSPECIFIED
PUERTO RICO STATUTES**

To the Honorable United States District Judge Laura Taylor Swain:

The Commonwealth of Puerto Rico (the “Commonwealth”), the Puerto Rico Highways and Transportation Authority (“HTA”), and the Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS,” and together with the Commonwealth and HTA, the “Debtors”), by and through the Financial Oversight and Management Board for Puerto Rico

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (vi) Puerto Rico Public Buildings Authority (“PBA”, and together with the Commonwealth, COFINA, HTA, ERS, and PREPA, the “Debtors”) (Bankruptcy Case No. 19-BK-5532-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

(the “Oversight Board”), as the representative of the Commonwealth, HTA, and ERS pursuant to Section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),² files this reply (the “Reply”) to the letter [ECF No. 9736] (the “Response”) filed by claimant Ivett S. Matos (“Claimant”) in response to the *Eighty-Seventh Omnibus Objection (Non-Substantive) of the Commonwealth of Puerto Rico, Puerto Rico Highways and Transportation Authority, and Employees Retirement System of the Government of the Commonwealth of Puerto Rico to Deficient Claims Asserting Interests Based Upon Unspecified Puerto Rico Statutes* [ECF No. 8976] (the “Eighty-Seventh Omnibus Objection”). In support of this Reply, the Commonwealth respectfully represents as follows:

1. On October 24, 2019, the Debtors filed the Eighty-Seventh Omnibus Objection seeking to disallow claims that failed to comply with the applicable rules for filing a claim by not providing a basis for asserting a claim against the Commonwealth, HTA, ERS, or any other Title III Debtor (collectively, the “Disallowed Claims”), each as listed on Exhibit A thereto. Each of the Deficient Claims purport to be based on one or more statutes or laws passed by the Commonwealth, but failed to provide basic information, such as the specific law number and year in which the statute was passed, needed to understand what law the claimant asserts or how that law may have given rise to liabilities owed to the claimant by either the Commonwealth, HTA, ERS, or any other Title III debtor.

2. Any party who disputed the Eighty-Seventh Omnibus Objection was required to file a response by 4:00 p.m. (Atlantic Standard Time) on November 26, 2019, in accordance with the Court-approved notice attached to the Eighty-Seventh Omnibus Objection as Exhibit C, which was served in English and Spanish on the individual creditors subject to the Eighty-Seventh

² PROMESA is codified at 48 U.S.C. §§ 2101-2241.

Omnibus Objection, the U.S. Trustee, and the Master Service List (as defined in the *Tenth Amended Case Management Order* [ECF No. 8027-1]). *See Certificate of Service* [ECF No. 9585].

3. The Response, a handwritten, Spanish-language letter dated December 17, 2019, was filed with the Court on January 2, 2020, and docketed as ECF No. 9736 on January 9, 2020. Therein, Claimant does not dispute that Claimant's proof of claim, which was filed against the Commonwealth on June 26, 2018, and logged by Prime Clerk as Proof of Claim No. 50248 (the "Claim"), purports to be based on a law described as "Romerazo," but does not provide basic information required to evaluate the Claim, such as the number of the law, the year the law was passed, or an explanation of how the law might give rise to liabilities owed to Claimant. Instead, the Response provides information regarding a change in Claimant's mailing address.

4. By orders dated January 16, 2020 [ECF No. 10045], the Court, *inter alia*, adjourned the hearing on the Eighty-Seventh Omnibus Objection as to Claimant's Claim until March 4, 2020, and directed counsel for the Debtors to meet and confer with Claimant. By email dated January 27, 2020, counsel for the Oversight Board contacted Claimant to inform Claimant that the hearing on the Eighty-Seventh Omnibus Objection as to her Claim had been adjourned to March 4, 2020, and to initiate the meet and confer process. To date, however, Claimant has not provided the information necessary for the Debtors to evaluate the Claim.

5. Because the Claim remains deficient, the Commonwealth respectfully requests that the Court grant the Eighty-Seventh Omnibus Objection and disallow the Claim in its entirety.

Dated: February 26, 2020
San Juan, Puerto Rico

Respectfully submitted,

/s/ Hermann D. Bauer

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